IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	*Markwitz, B.*	Examiner:	*Hafiz, T.*
Serial No.:	*09/419,475*	Art Unit:	*2163*
Filed:	*10/15/1999*	Date:	*March 5, 2002*

For: **Guard Tour System**

Box Non-Fee
Commissioner of Patents and Trademarks
Washington, D.C. 20231

A RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Election/Restriction Requirement of February 5, 2002, the following provisional Election with traverse is made in response thereto, and reconsideration of the Requirement is respectfully requested.

In the Office Action, the Examiner has stated that the claims presented in the application are directed to distinct inventions, particularly noting Groups I, II and III, with each Group including one or more claims. In response to the Restriction Requirement, the applicant hereby provisionally elects the claims of 7-29 of Group II with traverse.
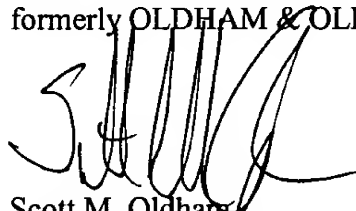
The Restriction Requirement set forth in the Office Action is respectfully traversed for at least the following reasons. In the Restriction Requirement, the Examiner has indicated that three distinct inventions have been set forth therein, and more particularly that the Groups I, II and III are related as sub combinations disclosed as being usable together in a single combination. The Examiner further states that the sub combinations are distinct if they are shown to be separately useable, and has further stated that group I has separate utilities such as evaluating job performance

at a specific location in order to determine the thoroughness of patrol operations. Group II is said to have separate utility such as the logging data concerning the history of activity at specific patrol sites and solely facilitates the collection, storing and downloading of the data without evaluation. Claims 30-34 are said to have separate utilities such as scheduling rules for patrol policy. Group III is said to require information pertaining to the definition of a rule, such as its applicable date and time range, and to utilize this information to create a regulatory schedule. The schedule is also said to set the mandatory number of check point visits, and the Examiner concludes that Group III does not take into consideration any evaluation or historic data when generating a schedule.

In response to this, it is applicant's position that the basis for restriction between these Groups of claims as identified by the Examiner is not adequately supported. The Examiner states that the sub combination Group I could be used for evaluating job performance at a specific location in order to determine the thoroughness of patrol operations, while Group II provides for logging of data concerning patrol information at a patrol site. As called for in the claims associated with Group II, a system and computer program product for monitoring and evaluating guard patrols of one or more sites is set forth, which also relates directly to the invention of Group I. The Examiner has not provided any basis to support the position that the sub combination of Group II has utility other than in association with the disclosed combination, as the invention of Group II is not limited to only logging of data as suggested by the Examiner. Although it is conceded that the invention of Group III may have utility other than in the disclosed combination, it is believed that the inventions of Groups I and II are properly examinable together.

Based upon the foregoing, reconsideration of the Restriction Requirement is respectfully

requested, and applicant's representative would be happy to discuss any issues in this regard with the

Examiner which may remain.

Respectfully submitted,
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